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VIA E-FILING

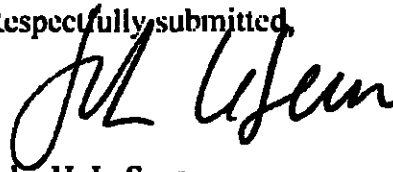
The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

Re: STB Docket No. 42105, *Dairyland Power*
Cooperative v Union Pacific Railroad Company

Dear Ms. Quinlan:

Enclosed for filing in the above-referenced proceeding, please find the
Motion for Dismissal of Complaint with Prejudice of Dairyland Power Cooperative.

Respectfully submitted,



John H. LeSeur

Enclosures

cc: UP Counsel

DAIRYLAND POWER COOPERATIVE)	
)	
Complainant,)	
)	
v.)	Docket No. 42105
)	
UNION PACIFIC RAILROAD COMPANY)	
)	
Defendant.)	
)	

Complainant Dairyland Power Cooperative (“Dairyland”) has reached a voluntary settlement with Defendant Union Pacific Railroad Company of the matters at issue in this complaint proceeding. Accordingly, Dairyland hereby withdraws its complaint with prejudice, and requests that the Board enter an order dismissing the complaint with prejudice and discontinuing this proceeding

DAIRYLAND POWER COOPERATIVE

Attorneys for Complainant

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of December, 2008, I have served a copy of
the foregoing Motion for Dismissal of Complaint with Prejudice, by hand upon:

Linda J. Morgan, Esq.
Michael L. Rosenthal, Esq.
Covington & Burling
1201 Pennsylvania Avenue, NW
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John H. LeSeur